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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/836,838      | 04/18/2001  | Tetsuya Shimizu      | B422-147A           | 9951             |

26272 7590 08/09/2005

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| EXAMINER |
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VENT, JAMIE J

|          |              |
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| ART UNIT | PAPER NUMBER |
|----------|--------------|

2616

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                 |                  |  |
|------------------------------|-----------------|------------------|--|
| <b>Office Action Summary</b> | Application No. | Applicant(s)     |  |
|                              | 09/836,838      | SHIMIZU, TETSUYA |  |
|                              | Examiner        | Art Unit         |  |
|                              | Jamie Vent      | 2616             |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-14 are rejected under 35 U.S.C. 102(b) as being unpatentable by Choi et al (US 6,285,408).

#### **[claims 1 & 8]**

In regard to Claims 1 and 8, Choi et al discloses an image processing apparatus and method comprising:

- reception means for receiving plural image data (Figure 5 tuners 101 and 102 receive plural image data information as further described in Column 4 Lines 6-12);
- main frame generation means for decoding one of said plural image data to generate a main frame (Column 4 Lines 7-34 allows for main frame generation for decoding plural image data);
- sub frame generation means for extracting a low frequency component from one of said plural image data to generate a sub frame (Column 4 Lines 35-42 describes the sub frame generation wherein it is well known in the art to generate sub frames the lowest frequency component is

extracted from the main frame. Therefore the sub frame generation meets the limitation.); and

- output means for outputting an image signal including said main frame and said sub frame (Figure 4 shows the outputting means for outputting a main frame and a sub frame).

**[claims 2 & 9]**

In regard to Claims 2 and 9, Choi et al discloses an apparatus and method wherein the reception means receives said plural through a serial bus (Figure 4 shows the serial bus which receives the receptions of various image data).

**[claims 3 & 10]**

In regard to Claims 3 and 10, Choi et al discloses an apparatus and method wherein said serial bus is based on the IEEE1394-1995 standard (Figure 4 further shows a serial bus based on IEEE 1394-1995 standard as further described in Column 2 Lines 30-44).

**[claims 4 & 11]**

In regard to Claims 4 and 11, Choi et al discloses an apparatus and method wherein said reception means is a digital interface based on the IEEE1394-1995 standard Figure 4 shows the connection of the serial bus based on the IEEE 1394-1995 standard as further described in Column 2 Lines 30-44).

**[claims 5 & 12]**

In regard to Claims 5 and 12, Choi et al discloses an apparatus and method further comprising: switch means for switching the image data displayed on the main frame, in

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response to an a predetermined operation key (Column3 Lines 55+ describes the user selecting the display information either being main frame or sub-frame and thereby switching the image data on the display means).

**[claims 6 & 13]**

In regard to Claims 6 and 13, Choi et al discloses an apparatus and method further comprising: recording means for recording the image data displayed on said main frame, in response to an operation of a predetermined operation key (Figure 5 element 401 shows the recording apparatus used to record information as further described in Column 7 Lines 33-45).

**[claims 7 & 14]**

In regard to Claims 7 and 14, Choi et al discloses an apparatus and method wherein said plural image data are based SD format of the DV standard (Column 2 Lines 3-12 describes the plural images that are based on the SD format).

***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Weaver (US 6694087);
- Gordon (US 6385771);
- Takenaka (US 5974018);
- Sugiyama et al (US 5633723);
- Hayashi et al (US 6825948).


**Contact Information**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on 571-272-7950. Effective July 15, 2005, the Central Fax Number will change to 571-273-8300. Faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Jamie Vent  
07/20/05

  
James J. Groody  
Supervisory Patent Examiner  
Art Unit 262 2616